

CITY OF MIAMISBURG  
10 N FIRST STREET, MIAMISBURG, OHIO

December 15, 2020

Mayor Collins informed everyone that this Open Meeting of the City of Miamisburg is being conducted remotely consistent with the Ohio Director of Health's Stay at Home Order and Governor Dewine's Executive Order 2020 01D.

Council met in Executive Session at 5:30 p.m. with the following members present: Mayor Collins, Councilmembers Colvin, Nestor, Stalder and Thompson. Due to technical difficulties Councilmembers McCabe, Nicholas and Thacker were not present during roll call but did participate in the meeting.

Council met in Regular Session at 6:00 p.m. with the following members present: Mayor Collins, Councilmembers Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Motion was made by Nicholas, seconded by Colvin to accept the minutes of the Regular Session on December 1, 2020 as distributed. Motion carried

Mayor Collins asked for a motion to amend the November 17 minutes. The amended wording should be Ordinances 6874 and 6875 were removed from the agenda. Motion was made by McCabe, seconded by Thompson to amend the minutes of the Regular Session on November 17, 2020. Motion carried. Motion was made by Stalder seconded by Colvin to approve the amended minutes of the Regular Session on November 17. Motion carried.

Mayor Collins opened the Citizen Forum and asked the Clerk of Council if any emails or telephone calls were received. The Clerk of Council stated that she did not receive any correspondence and the Forum was closed.

Jennifer Johns presented Ordinance 6882. Ms. Johns stated that this item was discussed at the December 1 study session. Since that study session discussion two adjustments are needed. The General Fund appropriation increased to \$350,000. This is due to CARES money. Police Pension Fund has been paid off the balance of \$71,318.62 will be transferred to the General Fund. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6882**

**AN ORDINANCE AMENDING THE 2020 BUDGET AND ANNUAL APPROPRIATION ORDINANCE AND DECLARING AN EMERGENCY.**

Motion was made by Nicholas, seconded by Nestor to dispense with the requirement that Ordinance No. 6882 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title

only. Motion was made by Thompson, seconded by Stalder to pass Ordinance No. 6882, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Jennifer Johns presented Ordinance No. 6883. Ms. Johns stated that this item was discussed at the December 1 study session. This ordinance will allow payments to the School District. This payment is for the construction of the Austin Center Interchange. The first installment will be paid in December and the final payment paid in February. Future TIF revenues will be used to reimburse the City. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6883**

**AN ORDINANCE AUTHORIZING THE ADVANCEMENT OF FUNDS FROM THE GENERAL FUND TO THE AUSTIN CENTER TAX INCREMENT FINANCING (TIF) FUND AND DECLARING AN EMERGENCY.**

Motion was made by Colvin, seconded by Nicholas to dispense with the requirement that Ordinance No. 6883 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by McCabe, seconded by Thompson to pass Ordinance No. 6883, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Councilmember Nicholas presented Ordinance 6884. Councilmember Nicholas stated that City Council has four positions that they are responsible for: City Manager, Law Director, Prosecutor and Clerk of Council. The subcommittee usually meets with these individuals in December, but due to COVID these meetings have been rescheduled. Councilmember Nicholas stated that all the individuals do an outstanding job and Council would like to provide them with a 2.5% increase in wages. Councilmember Nicholas also recognized the other subcommittee members: Sarah Thacker and Ryan Colvin.

**ORDINANCE NO. 6884**

**AN ORDINANCE TO ESTABLISH THE SALARIES AND CERTAIN BENEFITS FOR THE CITY MANAGER, LAW DIRECTOR, PROSECUTOR, AND CLERK OF COUNCIL, AND DECLARING AN EMERGENCY.**

Motion was made by Thompson, seconded by Thacker to dispense with the requirement that Ordinance No. 6884 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by Stalder, seconded by Nicholas to pass Ordinance No. 6884, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Leslie Kohli presented Ordinance 6885. Ms. Kohli stated that this Ordinance was discussed in executive session. This ordinance will provide a 2.5% wage increase to all non-union employees. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6885**

**AN ORDINANCE ESTABLISHING WAGES AND BENEFITS OF EMPLOYEES OF THE CITY OF MIAMISBURG, OHIO BY ENACTING PAY AND BENEFIT SCHEDULES FOR THE VARIOUS CLASSES, AND REPEALING ORDINANCE NO. 6827 AND ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY.**

Motion was made by Colvin, seconded by Nicholas to dispense with the requirement that Ordinance No. 6885 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by McCabe, seconded by Stalder to pass Ordinance No. 6885, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Ms. Kohli presented Ordinance 6886. Ms. Kohli stated that this Ordinance was discussed in executive session. Ms. Kohli stated that this Ordinance is an addendum to the 3-year OPBA (police) contract (2019-2021). The OPBA union requested a reopener each year of the contract for wages increases. This Ordinance provides a 2.5% wage increase for all police officers. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6886**

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION AND DECLARING AN EMERGENCY.**

Motion was made by Nicholas, seconded by Thompson to dispense with the requirement that Ordinance No. 6886 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by Stalder, seconded by Colvin to pass Ordinance No. 6886, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Leslie Kohli presented Ordinance 6887. Ms. Kohli stated that this Ordinance was discussed in executive session. Ms. Kohl stated that staff has a tentative 3-year agreement with the Teamsters. This agreement includes in 2020 – 2.5% wage increase, in 2021 – 2.5% wage increase and in 2022 – a reopener regarding wages and each side can bring three outstanding issues to the table for discussion. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6887**

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TEAMSTERS LOCAL #957, AND DECLARING AN EMERGENCY.**

Motion was made by Nicholas, seconded by Nestor to dispense with the requirement that Ordinance No. 6887 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by Colvin, seconded by McCabe to pass Ordinance No. 6887,

carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Chris Fine presented Ordinance 6888. Mr. Fine stated that this Ordinance will authorize the City to participate in the Business First! Program. This program was created by Montgomery County as a business retention/expansion program designed to facilitate discussion and an exchange of vital information with Miamisburg businesses. This will also provide financial support for the program. The agreement requires an annual fee of \$1,500 per year. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6888**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH MONTGOMERY COUNTY CONCERNING THE BUSINESS FIRST! PROGRAM FOR A PERIOD BEGINNING 2021 AND ENDING IN 2025 AND TO PROVIDE ANNUAL FINANCIAL SUPPORT FOR THE PROGRAM, AND DECLARING AN EMERGENCY.**

Motion was made by Thompson, seconded by Stalder to dispense with the requirement that Ordinance No. 6888 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by Nicholas, seconded by Colvin to pass Ordinance No. 6888, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Mr. Fine presented Ordinance 6889. Mr. Fine stated that this Ordinance is to discuss an annexation agreement with Miami Township for the Garrison property located on Benner Road. This agreement will end the "double taxation" provision but will provide compensation payments to the Township for future loss revenue. The City will share 50% of property taxes collected by the City with the Township. Payments would be made for a 15-year period and begin once the development is 51% built. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6889**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH MIAMI TOWNSHIP AND TO FILE A PETITION WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO TO CHANGE THE MIAMI TOWNSHIP LINES OF 93.54 ACRES LOCATED IN MIAMI TOWNSHIP AND THE CITY OF MIAMISBURG IN ORDER TO REMOVE THE TERRITORY FROM MIAMI TOWNSHIP AND MAKE THE TOWNSHIP LINES IDENTICAL, IN PART, WITH THE LIMITS OF THE CITY OF MIAMISBURG, OHIO, AND DECLARING AN EMERGENCY.**

Motion was made by McCabe, seconded by Nestor to dispense with the requirement that Ordinance No. 6889 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by Stalder, seconded by Nestor to pass Ordinance No. 6889, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Mr. Fine presented Ordinance 6890. Mr. Fine stated that this Ordinance was discussed at the December 1 study session. This Ordinance is to enter into an agreement with Miami Township for the maintenance of a specific public dedicated roadway. The agreement requires the City to maintain a portion of Benner Road in front of the Deer Valley subdivision. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6890**

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MIAMI TOWNSHIP TO ASSESS COSTS RELATED TO THE MAINTENANCE OF SPECIFIC PUBLIC DEDICATED ROADWAY, AND DECLARING AN EMERGENCY.**

Motion was made by Thompson, seconded by Nicholas to dispense with the requirement that Ordinance No. 6890 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by Stalder, seconded by Nestor to pass Ordinance No. 6890, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Mr. Fine presented Ordinance No. 6891. Mr. Fine stated that this Ordinance was discussed at the December 1 study session. This Ordinance authorizes the City Manager to enter into an agreement with Avery Dennison Corporation to provide a job creation refundable tax credit. Avery Dennison is one of the City's largest employers. They are investing \$18 million in their facility located on Monarch Lane. This tax credit would allow 65 new jobs with a \$6 million payroll. This Agreement would provide Avery Dennison with a 65% credit on all new payroll taxes created as a result of their investment and growth for a five-year period. Staff recommends approval of this ordinance.

**ORDINANCE NO. 6891**

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AVERY DENNISON CORPORATION PROVIDING A JOB CREATION REFUNDABLE TAX CREDIT, GRANTING THE TAX CREDIT, AND DECLARING AN EMERGENCY.**

Motion was made by Colvin, seconded by McCabe to dispense with the requirement that Ordinance No. 6891 be read on two separate days, authorize its adoption on the first reading and have it read by title only. Motion carried. The Ordinance was read by title only. Motion was made by Thompson, seconded by Nicholas to pass Ordinance No. 6891, carried by Yea Votes of Colvin, McCabe, Nestor, Nicholas, Stalder, Thacker and Thompson.

Emily Christian presented Resolution 2973. Ms. Christian stated that this Resolution authorizes the reappointments and a new appointment of interested candidates to various Boards & Commissions. Applications were accepted until the end of November for one opening on the Parks & Recreation Advisory Board. The subcommittee consisting of John Stalder, Ryan Colvin and Greg Thompson reviewed all the applications and selected Adrienne Gorretta as the new Parks & Recreation Advisory Board member. Ms. Christian thanked all the current volunteers for volunteering their time. Councilmembers Stalder,

Colvin and Thompson thanked the volunteers for their service. They also thanked Ms. Christian for organizing the group. Councilmember McCabe thanked the subcommittee for choosing the correct people to fit on each board.

**RESOLUTION NO. 2973**

**A RESOLUTION TO APPOINT MEMBERS TO THE VARIOUS BOARDS & COMMISSIONS OF THE CITY OF MIAMISBURG.**

Motion was made by Colvin, seconded by Nicholas to have the Resolution No. 2973 read by title only. Motion carried. The Resolution was read by title only. Motion was made by Colvin, seconded by Thompson to pass Resolution No. 2973, carried by Yea Votes of Clark, Colvin, McCabe, Nestor, Nicholas, Stalder and Thompson.

Council recessed to a Study Session to discuss the following:

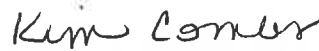
DORA

Entertainment District

There being no further business, motion was made to adjourn. Motion carried.



Michelle L. Collins, Mayor



Kim Combs, Clerk of Council